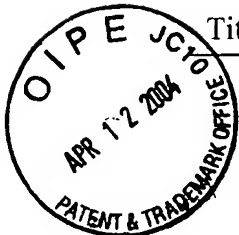


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: GUDGEON et al. Examiner: Unknown  
Serial No.: 10/698,841 Group Art Unit: Unknown  
Filed: October 31, 2003 Docket: 11106.73US01  
Title: ENGINE REVOLUTION LIMITER



CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 6, 2004.

By: 

Name: Karen R. Nejedly

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Small entity status is claimed pursuant to 37 C.F.R. 1.27
- ☒ Verified Statement Claiming Small Entity Status
- ☒ Information Disclosure Statement
- ☒ Form PTO 1449, Eleven (11) References
- One (1) reference enclosed in accordance with 37 C.F.R. §1.98(a)(2)(i)
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: 

Name: Gregory A. Sebald

Reg. No.: 33,280

GAS/km

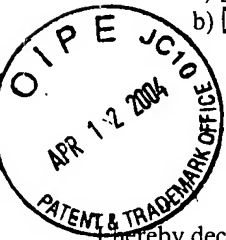
**SMALL BUSINESS**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. 1.27(a)(2)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- a) ☐ the owner of the small business concern identified below:  
b) ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: S&S Cycle, Inc.  
ADDRESS OF CONCERN: 14025 County Highway G  
Viola, Wisconsin 54664



I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. 121 and in 37 C.F.R. 1.27(a)(2), and reproduced in 37 C.F.R. 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled ENGINE REVOLUTION LIMITER by inventor(s) Joseph A. Gudgeon, Nevin R. Hillegass and Brian S. Lindell described in

- a) ☐ the specification filed herewith.  
b) ☐ provisional application serial no. \_\_\_\_, filed \_\_\_\_.  
c) ☒ non-provisional application serial no. \_\_\_\_, filed October 31, 2003.  
d) ☐ patent no. \_\_\_\_, issued \_\_\_\_.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a person under 37 C.F.R. 1.27(a)(1) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.27(a)(2) or a nonprofit organization under 37 C.F.R. 1.27(a)(3).

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
a) ☐ PERSON                      b) ☐ SMALL BUSINESS CONCERN                      c) ☐ NONPROFIT ORGANIZATION

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
a) ☐ INDIVIDUAL                      b) ☐ SMALL BUSINESS CONCERN                      c) ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. 1.27(g)(2)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereof, or any patent to which this verified statement is directed.

NAME: Geoff Burgess  
TITLE: V.P. Product Development  
ADDRESS: S&S Cycle, Inc., 14025 County Highway G, Viola, WI 54664

SIGNATURE: [Signature] Date: 11-13-03

\* Separate statements should be obtained from each named person, concern, or organization having rights to the invention as to their status as small entities.

S/N 10/698,841

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	GUDGEON et al.	Examiner:	Unknown
Serial No.:	10/698,841	Group Art Unit:	Unknown
Filed:	October 31, 2003	Docket No.:	11106.73US01
Title:	ENGINE REVOLUTION LIMITER		



CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 6, 2004.

By:

Name: Karen R. Nejedly

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2)(i), a copy of the U.S. patents and U.S. patent publications listed on the enclosed Form 1449 are not provided, as this application was filed after June 30, 2003. A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2).

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.

Dated: \_\_\_\_\_

4/6/04

By: \_\_\_\_\_



Gregory A. Sebald  
Reg. No. 33,280  
GAS/km

**23552**

PATENT TRADEMARK OFFICE

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 11106.73US01	Application Number: 10/698,841
	Applicant: GUDGEON et al.	
	Filing Date: October 31, 2003	Group Art Unit: Unknown



U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,067,303	January 10, 1978	Aoki et al.			
	5,803,043	September 8, 1998	Bayron et al.			
	6,044,822	April 4, 2000	John M. Daniels			
	6,445,985	September 3, 2002	Bitzer et al.			
	5,943,997	August 31, 1999	Kinsey et al.			
	6,499,341	December 31, 2002	Lodise et al.			
	6,541,959	April 1, 2003	Gudgeon et al.			
	6,557,510	May 6, 2003	Sjovall et al.			
	6,560,528	May 6, 2003	Gitlin et al.			
	6,588,259	July 8, 2003	Lodise et al.			

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
		S&S Cycle Catalog Number 13, Power Kits, pp 2-1 through 2-7, February 2002



EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	